

1897-11 042 Chancery Causes: France Miles vs. Ann Miles
Lee Co.

Dorton, Graham, Woodward, Sprinkle, Cook, Richmond,
King.

CA-Divorce
T-Vices

To the Honorable W.T. Miller judge of the Circuit

Court of Lee County Virginia:

Humbly complaining, your Orator, France Miles, will respectfully show to your honor, that he is a citizen of Lee County, that he is now about 54 years of age and that he was born and reared and has always resided in Lee county in the state of Virginia, that some time ago, to wit, on the 17th day of Nov^r 1894, he intermarried with one Ann Dorton, who was then and still is a resident of said county of Lee, that prior to the said marriage, the life and conduct of neither the said Ann nor your Orator, had in all things been exactly what it should have been, but, after the solemnization of said marriage down to the time when the said Ann left the dwelling house of your orator, as will be more fully stated hereafter your Orator was to the said Ann, a kind, indulgent and loving husband, ~~XX~~ striving in all things and at all times to discharge in a husbandly way each and all of the duties imposed upon him by the vows he had assumed at the matrimonial altar, but it is with sorrow and regret ~~the~~ that your Orator now shows your honor that his wife, the said Ann, has very materially and flagrantly failed in her duties as a wife, for the kindness and indulgence that your Orator has bestowed upon her, he has received abuse and scorn, for the affection and care with which he has treated her he has received scorn and contempt, she has refused to cook his meals she has refused to do his washing or mending, she has refused to take care of his house, she has quarrelled ^{with} and abused him and on more than one occasion has threatened to poison him, on several occasions she has threatened to burn his house and other buildings, and finally she has abandoned his home and is living at a house of bad reputation.

Your Orator will now further show your honor, ~~XXXX~~ ~~XX~~ that the said Ann is continually visiting houses of ill fame, that she is almost daily associating with young men of the most corrupt morals visiting with them houses of ill repute where she openly beds with them in the most flagrant violation of her marital vows and duties as a wife, in fact your Orator is informed that she openly boldly boasts of her lewd and lascivious practices and ~~defies~~ him prohibit the same. Your Orator charges that his said wife has been and is guilty of various and continued acts of adultery with various and different men, that she is openly,

and secretly associating, lewdly and lasciviously with persons of ill fame of both sexes. Your Orator will now show your honor, that he has not cohabited with the said Ann at any time since he has become aware of her acts of adultery, that he is afraid that she will do him some serious and greatly bodily harm, in fact that she will poison him if she has the opportunity to do so, he is afraid that she will burn up and destroy his property. Your Orator will now further show your honor that he has in no way consented to or connived at the adultery and misconduct of his said wife.

Now the object of this bill is to have the bonds of matrimony existing between your Orator and the said Ann, his wife, dissolved, and being without remedy at common law, he prays your honor's court of chancery to take cognizance of his cause and grant him proper relief, to this end he prays that the said Ann Miles be made the party defendant to this bill, that she be required to answer the same, but not under oath as that is expressly waived, that upon a final hearing that a divorce a vinculo matrimonii be granted to him and that if in any way mistaken in his special prayer, then he prays for such other full and perfect relief both special and general as his case merits and it is meet for a Court of Equity to grant. And as in duty he will ever pray &c.

May Spa. issue &c.

France Miles by counsel.

L. T. Duncan
Atty for Plaintiff

France Miles

75 3/4 Bill

Amr. Miles

1897 1st may rules bill
filed & paid.

" 2nd may rules Cause
Set for hearing.

June Term 1897
Decree final See
Order Book No 6 P 10

Plffs Costs

Clerk	3.40
Tax	1.50
Shff	1.40
Const	8.75
Sub P	8.75
	<u>\$15.55</u>

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Hon. W. T. Miller, Judge of the Circuit court of Lee county:

The demurrer and answer of Ann Miles to a bill exhibited in this Honorable court against her by France Miles:

For demurrer your respondent is advised and alleges that the said bill is not sufficient to call upon her to answer in this Hon. court, and she prays judgment thereof; but should other and further answer be required of her, answering she says, that it is true that she is and for a number of years has been a resident of Lee county, and that she intermarried with the said France Miles as is alleged in the said bill. As to the life of each before the marriage, she ~~is~~ is advised that this proceeding has nothing to do, but whatever the life of each may have been, it was well known to the other, at least her life was to the said France, though your respondent has made some painful discoveries. But your respondent denies all the allegations in the said bill which tend or in any way intimate that that she has been untrue to her marriage vows: on the contrary she alleges that she has always been true to the same, and that she has always been a faithful, loving and obedient wife. She alleges that it is not true that she failed to do the cooking, or that she left the home of her husband except when forced to do so by him through his oft-repeated and severe abuse and mistreatment, even to that extent that she often despaired of her life, and she alleges that she constantly stands in dread of losing her life or suffering irreparable injury while in the presence of her said husband.

Your respondent alleges that it was the desire of herself to live with her said husband, and that would have done so, had he treated her properly, and had he not driven her from home, and had he not been guilty of adultery with another woman, to wit: with one Betty King. And your respondent alleges that since the certain knowledge of this adultery on the part of her husband she has not cohabited with him, and that it was without her knowledge or consent, and that she has not connived at the same.

Your respondent here specifically denies the charges that she ever threatened to poison, or in any other way take the life of her said husband.

Your respondent is very much pained that this proceeding is nec-

essary, and that the adultery of her husband makes it necessary that she cannot live with him, but such being the case she therefore asks that a divorce be granted to her, with alimony in the estate of her husband such as the law allows. She alleges that owns a farm in this county near Jonesville, and that he owns some houses and lots near and in the same place. She asks that her attorney fee and all reasonable costs be allowed her.

Your respondent further alleges that nearly all the house hold and kitchen furniture which is now in the house of the said France belongs to her and that it was hers before the marriage, and that her husband refuses to give it up. Her husband owns nothing in the house except one bed which he brought with him, one bedstead, one little table and one looking glass, all the other furnishings being the sole property of your respondent, and purchased with her money.

It is further alleged that since the separation the said France has been giving the property of your respondent to the said Betty King.

And now having fully answered she prays to be hence dismissed, &c

E. W. R. Ewing, P.D.

And now, having fully answered the plea to be hence dismissed, I
been giving the proper response to the said Betty King.

If I further answer that since the separation the said Frances has
received and has not money.

Looking at the said Frances being the sole property of your

bed which he owned, one bedstead, one little table and one

response to the said Frances being the sole property of your

to her and that the said Frances being the sole property of your

Frances being the sole property of your

Your response to the said Frances being the sole property of your

allowed her.

same place. She also paid her attorney fee and all reasonable costs to

near Jonesville, and that he owns one house and lot near and in the

such as the law allows. She alleges that owns a farm in this county

a divorce be granted to her, with alimony in the estate of her husband

cannot live with him, but such being the case she therefore asks that

quarrel, and that the equity of his husband makes it necessary that she

Frances Miles
W. J. Arnsper
Ann Miles.

Filed in open Court
and by leave thereof
June the 9th 1897
A. B. Munsey Clerk

France Miles

vs.(In Chancery.

Ann Miles.

This cause came on this day to be heard upon the bill of the plaintiff, and the answer, and the depositions filed in the cause, and was argued by counsel.

Upon consideration whereof ~~the same~~ it is ordered, adjudged and decreed that the bonds of matrimony heretofore existing between the plaintiff and defendant be and the same are hereby dissolved, and a divorce granted to each of the parties; and it is further ordered, adjudged and decreed that each party ^{pay} the costs by him and her~~e~~ incurred, this decree to in no way affect the ^{rights} to any property of the one that may be in the possession of the other.

And nothing more remaining to be done this cause is stricken from the docket.

from the books.

And nothing more remaining to be done this cause is adjourned
renewal of the offer.

In no way subject to the title to any property of the one that may be
ordered that each party the costs by him and here mentioned, this decree
granted to each of the parties; and it is further ordered, adjudged and
declared that the said parties do and the same are hereby dissolved, and a divorce
decree of the said parties existing between the
France Miles
vs. Decree final
Ann Miles.

Eu. 203-106/1041

Enter this decree, this
June 14, 1897.

and was signed by counsel.

the plaintiff, and the answer, and the depositions filed in the cause,

this cause came on this day to be heard upon the bill of

Ann Miles.

vs. (in chambers).

France Miles

Mrs. Ann Miles

You will please take notice that on Saturday the 22 day of May 1897, at the office of C.T. Duncan in the town of Jonesville I will proceed to take the depositions of J.K.P. Graham and others, which depositions when so taken are intended to be read as evidence in my behalf in a certain suit in chancery now pending in the Circuit Court of Lee County Virginia, in which I am plaintiff and you are defendant, and if said depositions are not completed on that day the taking thereof will be continued from day to day from time to time and from place to place until they are all finished. You can attend and cross-examine if you desire to do so.

Very truly yours &c.

Francis Miles

Virginia, Lee County, to-wit:-

This day J. P. Graham personally appeared before me,
James W. Orr, Commissioner in Chancery for the Circuit
Court of Lee County, in the State of Virginia, and made oath
that he delivered to Ann Miles, the within named defendant,
a true copy of the within ~~summons~~ ^{notice} on the ~~21st~~ 20th day of
May 1897. Given under my hand, this the 21st day of May
1897.

James W. Orr.

Commissioner in Chancery for the
Circuit Court of Lee County, Va.

Frances Miles

vs. } Notice.

Ann Miles

France Miles

Compt. 3

vs

Ann Miles

Deft. 3

In Chey

The depositions of

taken pursuant to notice
hereto attached, at the office
of C. T. Duncan in the
Town of Jonesville Va on
the 22nd day of May 1897, before
me J. A. S. Hyatt (Clerk in Chey
for Lee County Circuit Court)
to be read as evidence on
behalf of the Plff, in the above
styled Cause.

Present C. T. Duncan Atty for
Plff and E. W. R. Cewing Deft,

No witness appearing
and by agreement of Counsel
of parties the taking of these
depositions is adjourned
until Tuesday 25th May 1897
at the place mentioned in the
Caption.

J. A. S. Hyatt
Clerk.

Met pursuant to adjournment at same
place, this May 25th 1897.

D. T. Sewell Not. Pub.

Present: C. J. Duncan for Plff & Plff.

E. W. R. Ewing for Def^t - Def^t.

J. P. Graham a witness of lawful age being duly sworn deposes & says:-

1. Are you acquainted with the Plaintiff and defendant in this suit, and if you answer that, you are, please state if you have known them since their marriage, and how near did you live to them while they were living together?

Ans. I am acquainted with both of them. Have known the Plff all my life & the Def^t ^{since} for a year or so before her marriage to Plff. I lived within a mile of where they lived during the time they lived together.

2. Did you or not frequently see them during the time they lived together, if so, state how frequently and state all you may know of how they got along together?

Ans. I did see them frequently - most every day. They got along very badly - fussing & quarreling nearly all the time. She would get mad & take off up & down the road swearing that he had beat & abused her & had driven her off. Then when I would see him he would say it was not true. Said that she would

leave with her own accord & does not abuse him & that more than half the times she would not cook his meals.

- 3 In her taking off up and down the road as stated by you above, would she be out at night, state all you may know about this?

Ans. Yes, I have seen her out several nights. I have seen her at several different places passing about. I have seen her at Mrs Kings, at Jane Miles' & at Clabe Hamblen & along the road.

- 4 What is the general reputation of these houses named by you above as to chastity or ill fame?

Ans. The reputation is bad & very bad, I mean of Mrs Kings & Jane Miles'. Clabe Hamblen is a colored man & I never heard anything wrong at his house.

- 5 Were you frequently at Plaintiffs house during the time he and defendant lived together, if so please state the conduct of Plff towards defendant and his treatment of her?

ans. Yes, I have been there often. I never saw him mistreat her. I have been there when she was sick & I never saw a man treat his wife kinder when sick. He was waiting on her.

Leaves - Exam -

1.

You have just stated that you

visited the home of Anne frequently, did you ever see Anne mistrust France?

Ans. I don't think that I have ever seen her mistrust him any more than what I have said here.

2. You have stated that she would leave home, do you know of your own knowledge why she would do so?

Ans. Nothing more than what I have said already. I do not know of my own knowledge any more than what she told me & what he told me.

3. Were you ever about the house at meal times, if so how often?

Ans. I can't say that I was often. I might at a time a time. I have passed the road frequently at meal time.

4. How do you know that Anne refused to cook?

Ans. I know only what I have said & that was what he told me. I have been there a few mornings when she would be in bed & he would be cooking. I don't know whether she was sick or not. I have been there several

(5)
times when she would not be there & he would be cooking.

5. You have mentioned seeing Ann at houses of ill fame, did you ever see Mr. Miles at any of these places, if so, where?

Ans. I reckon I have. I have seen him at Kings a time or two. I never saw him at Kings ~~since~~ ^{before} he & Ann separated in my life. I never saw him at any other place.

6. If you ever saw the plaintiff in company with women of ill fame, please tell about it.

Ans. I never did.

7. Did you ever see him with any of the King women?

Ans. I never did, except he & myself were leaving my house & ~~passed~~ on passing Kings house several others were there. I went in for a minute & France sat & talk with Elbert Garrett out on bank some 8 or 10 steps from the house. I don't think France spoke to any of them. If he did I did not see it.

8. Have you ever seen him at any other place where the

champion of the women for
virtue was not the best?

Ans. No Sir.

9. Did you ever see Ann
out after night alone?

Ans. I think I have met her once or twice
on the road between her house & her
mother's. This was after dark & I don't
know the hour. Their house are
from a $\frac{1}{4}$ to $\frac{1}{2}$ mile apart.

10. Have you not seen
women frequently pass the
road after night?

Ans. I have at times.

11. Did you live in sight of
these families when they lived
together?

Ans. No Sir.

Wit claim
day - .50 cts

And further this witness saith not.

I N G rakarr

William Woodward another witness of
lawful age being duly sworn deposes & says?

Ans you acquainted with the Plaintiff and
Defendant, if so how you were acquainted with
them during the time they lived together as his
second wife?

Ans. I am acquainted with & knew them
all the time they were living together

I lived in about $\frac{3}{4}$ of a mile of them.

During the time they lived together,

2. During the time they lived together did you visit at their house at any time if so how often?

Ans. I have been there some three times or more.

3. Did you ever go to their house in the absence of Mr Miles, if so how often, and who was there except yourself?

Ans. I believe I have been there twice when France was not there. At one time Jean King was there at the other time a little boy came in shortly after I got there.

4. Who if any person, invited or called you in at these visits or either of them?

Ans. No one invited me in. At the time when Jean King was there Ann said she & Jean wanted some tobacco & I went up.

5. How long did you stay with her and Jean and what did you and they do, while you were there?

Ans. I never stayed but a few minutes. While I stood there I had one of them on one knee & the other on my other knee for a time. That's all except to talk.

6 On any occasion before. They separated
did you ever see Ann out up the road
drinking if so who was with her if any
one?

Ans.

I believe I have seen her with
Chas Lewis on the side of the
road taking a drink or two.
Near Mary Woodward's house & in
front of her door. I don't know
whether Mary drank any or not,
though she was present. I know
I took a drink.

7 Did you leave Ann there, or do you know
what became of her, and state whether
it was night or day?

Ans.

I think Chas, Ann & myself went
up the road together as far as
her mother & I laid down on
the bank of the road & then Chas
went on up the road & I, Ann
& her mother went down the road
a short distance & afterward Ann
went on home, at least she said
she was. This was in the night.

8 Is it not a fact that you and Ann started
back down the road together and that
her mother followed you to try to get her
to go back to her house. State how this was?

Ans. I think she & her mother started first & that I was the one that did the following.

9 What were you following her for?

Ans. I had some more liquor that had not been drank up & I wanted to get rid of it.

10 Was that all you were trying to get rid of?

Ans. I don't know that I was trying to get rid of anything else.

Cross. Examine -

1. Did you ever see Mr. Miles in company with women of ill fame?

Ans. I could not say about that. I have not since he & Ann were married.

2. Was there ever any illicit intercourse between you and the defendant?

Ans. No Sir.

And further this witness saith not

William ^{his} Woodward
mark

With Claim
1 Day - 50 cts
Per Day Off.

W. P. Sprinkle another witness of lawful age being duly sworn says:
1 Are you acquainted with Plaintiff & defendant, if so how long have you known them?

Ans. I am & have known the Plaintiff a number of

7 years & have known the defendant some 10 or 12 years.

2 How near did you live to them, while they were living together as husband and wife?

Ans. Between one half & three quarters of a mile.

3 State all you now see and know about the conduct of the defendant during the time he and the plaintiff were living together as husband and wife?

Ans. I haven't seen anything only in passing road & have seen them into a fuss. I was at her mother's when they were there & they were quarrelling. I have also passed the house when everything was quiet & they seemed to be peaceable.

4 Please state if you ever saw her out at night trudging up and down the road if so where and how often?

Ans. I think I have up the road above their house. I don't know how often.

5 Please state if you ever saw her at a house of ill fame, if so how often, at whose house was it, and were there any men present?

Ans. I don't remember last seeing her

at any one except at his mother's
& that is a house of bad reputation.
I think I have seen her there when
men were present & when no one
was there except women.

Ernest E. Brown.

1. Did you ever see Mr. Miles
get a stick, or anything of the
kind, with threats of using it
on his wife?

Ans. I think not.

2. Ever seen plaintiff in com-
pany with women of ill fame?

Ans. I do not remember to have
so seen him.

3. Did the defendant ever give
any reasons for being out
after night, if so what?

Ans. I think I have heard her say
that he had run her off. I ~~has~~
heard her say this at the time
I saw her out.

With claim

1 day - 50^{cts}

And further this witness swears not.

W. P. Sprinkle

Low. Court another witness of lawful age
being duly sworn deposes & says.

1. Do you know the Plaintiff and defendant in
this suit, if so how long how you knew and
how close did you live to them while they

were living together as husband & wife & I know them. I have known Mrs. Miles all my life. Have known Ann some 4 or 5 years. I lived about $\frac{1}{2}$ from them during the time they lived together.

2 Did you ever see the said Ann at any houses of ill fame, if so where and how frequently?

Ans. I have seen her at her mother's & at Kings. I couldn't tell how often I don't know whether you call them houses of ill fame or not.

3 What was she doing there, tell all about it.

Ans. She was just sitting around there talking. I have seen her at her mother's when Chas Denny was there. I have seen her at Kings when other persons were present, but don't remember who.

4 How & you at any time saw the Defendant and William Edwards together, if so where how often and what were they doing?

Ans. Yes, I have seen them together at ~~the~~ Jane Miles; sometimes they would be sitting by the fire & sometimes lying on the bed together.

5 When on the bed together would they hold of each other, describe as accurately as you can what they would be doing and

how they were laying?

Ans.

Sometimes they would be laying across the bed with their arms around each other. I have seen them kissing when so lying.

6 Was this in day time or night, and how frequently have you seen them thus together?

Ans.

It was at night ^{by day time too}. I don't know how often. Several times though.

7 Have you seen her carrying on, in this way with any other man if so who and where at?

Ans.

I don't remember whether I have or not since her marriage.

8 What else have you seen her & Edwards doing?

Ans.

I saw them go up the road together one night. I was with them & went as far as the Crockett Spring where we parted they going on, said they were going to Robt Nelson. This was a little while after dark. I think this the only time I have seen them out together.

Gross E. Brown.

1.

Ever see plaintiff in company with women of ill-fame?

Ans.

No Sir. I think not. I was at the Tan-yark one day & saw Jean &

Bettie King passing & Mr Miles
a little behind them. He caught
up with them before they got to the
forks of the road. I saw him
at Kings last Sunday. Don't
think any one was there except
old Mrs King. I don't know
whether any of the children were
there or not. I think may be one
of the least girls was there.

2. What is the reputation² of
these women for virtue -

Ans. Jeans reputation is bad. I don't
know anything about the others.

3. Is not Betty King under-
stood generally to be a woman
of ill fame?

Ans. I don't remember whether I have or
not. It is talked generally that
she cuts up with the boys & sits on
their laps, but never heard anything
further.

4. Is not the King house gen-
erally understood to be a house
of ill fame?

Ans. Yes Sir.

5. Did you ever hear the plain-
tiff say anything about furnish-

ing chickens or any other thing
for any of these women?
Ans. No Sir.

With Claim
1 Day - 50 cts
Pd by Plff.

And further this witness saith
not. Long Cont.

M. D. Richmond another witness of lawful
age being first duly sworn deposes & says.

1. Are you acquainted with the Plaintiff and Defen-
dant in this case, if so how long how you know
them, and how far do you live from where
they formerly resided together?

Ans. I know them both. Have known
Mr. Miles all my life & have known
Ann for some 5 or 6 years. I lived
about one mile from them where
they were together.

2. How you ever saw the Defendant Anne Miles
keeping company with any man or man, since
her marriage with the Plaintiff. If so, who
and where? Tell all about?

Ans. I have seen her with William Edwards
at Jane Miles'. I saw them talking
together in the woods once where he
& I met her and another woman

3. What were Edwards and ~~she~~ doing at Jane
Miles? Tell all you saw them do?

I have seen them there a number of times.
I have seen ^{them} hugging, kissing, squeezing.

sitting on the bed together, laying
across the bed together.

- 4 Was day time or night when you saw
them as above described by you, at Jane
Miles'?

Ans.

Both day & night.

- 5 What is the general reputation of Jane
Miles house for lewdness and proclivities

Ans.

Its bad.

- 6 Did you ever see riding on the same horse
with any person, if so who, and where did
they appear to be going?

No Sir, not that I remember.

- 7 Tell any other acts of coquetry & fondness
for men you have seen the said Ann
corroding on?

Ans.

I can't remember so as to be definite
as to time

- 8 What became of the said Ann. and Edwards
when you and he came up with ^{other woman} ~~they~~ ~~the~~
in the woods as above stated by you?

He talked to them a few minutes, & the
woman I was talking to would not
conk & she left. I told Edwards that
I would go to. I started, ~~they~~ said
he was going too. I left them
talking together & never looking
back till I got out of their sight as I
thought. I then stopped & waited along

a minute or two & he then came on. I don't think he remained long enough to do anything.

Cross Exam.

1. Did you ever (since the marriage) see the plaintiff in company with lewd women?

I never saw him fooling with any one. I saw him at Mrs. King's once. I went there & he was just sitting there. Jean, & Bett King & some children were there. I think he left while I was there.

2. Did you ever see him with any other women, or with them at any other time or place?

If I have I don't remember it.

3. What is the reputation of the King house for lewdness?
Its bad.

Ans.

Wid. Claims
1 Day - 50^{cts}

And further this witness said not.

M. D. Richmond

Frank King another witness of lawful age being sworn & says:-

1. If you know Frances Miles and Sue Miles how long have you known them?

Ans.

I have known them for several years.

2. If in the last two years you have

seen Ann Miles in company with other men than her husband, please state where you saw them, who they were and what they were doing?

Ans.

I have seen her at Jane Miles' with William Edwards. They were on the bed hugging & kissing. I saw them leave there together in the night two or three times. I have seen them at Jane Miles' together about 12 times. I also saw them together at Robert Nelson together one Sunday. They went on up the Creek together from Nelson.

~~Crossed out~~

1. I believe you are a son of Lizzie King, the woman mentioned by witness Mr. Richmond, are you?

Ans.

I am.

2. Did you ever see Mr. Miles at your mother's?

Once, one Sunday about 2 or 3 weeks ago.

3. Jane Miles, where you say you saw Ann, is her mother is she not?

yes Sir.

And further this witness saith not

Frank ^{King}
mark

Wit Claim

1 Day - 50^{cts}

No other witness appearing the further taking of these depositions is adjourned until the 31st day of May 1897 at same place. ^{this}

D. C. Sewell N.P.

Met pursuant to adjournment at same place this May 31st 1897

D. C. Sewell N.P.

Present C. F. Duncan & Plff.
E. W. R. Ewing & Def.

Martha Miles another witness of lawful age being duly sworn & says:

1. Are you acquainted with Frances Miles and Ann Miles, the Plaintiff and Defendant in this case, if so state whether or not you know them all the time they lived together as husband & wife?

Ans. I am acquainted with them & knew them all the time they lived together as man & wife. Our houses are about 40 ft apart, that is, the house where we then lived & live now & where they then lived.

2. How did they get along together as husband & wife

Ans. Sometimes very well & sometimes mighty

bad.

3. You state that some^{times} they got along badly tell what they were doing at these times

Ans I could hear them fussing, quarrelling & ripping about & just at the last of their living together for the last 6 or 8 months they got along terribly badly. Last fall one night Ann called on Mary Woodward for some fire. Mary took it from my house to her & she, that is Ann, built up a fire inside of Joslyn's field a few steps from the public road. I heard a racket between him & her & went to the door. I saw some person strike or strike at another with a fiery chunk. I thought it was Ann striking at Frank. Mary Woodward was there at the time. I was some 60 yards away standing in my door. I don't know who began any of their rackets.

4. What was Ann's conduct about cooking staying at home &c.

Ans. When they were in their rackets

she didn't stay at home much & she didn't cook for him at all during these times. For the last few months she would only once ~~in~~ a while cook a meal & he had to do his own cooking.

5. When she would go off, as stated by you above how long would she stay what would she do, and would she be out at night. state all about it?

Ans. She would sometimes go off about sun down & some time between sun down & dark & she would come in along during ~~the night~~ ^{the night} ~~the next day~~. Sometimes early & sometimes as late as two o'clock & sometimes not till after day light.

6. In their quarrelling what kind of language would she use to him?

Mighty bad. Awful vulgar & mighty abusive

7. Did you ever hear her make any threats against Mr Miles or his property if so what did she threaten to do.

Ans. I have heard her threaten to burn him up. I have heard her say that she would poison him. When she made these threats she

was in the road hollering at him.

8 Did you ever see her exhibit any foul
mess for other men, since her marriage
with Frank if so state her conduct.

Ans.

I saw her riding on a horse
behind William Edwards yesterday
orals about ^a week ago. I have
seen her go to the road to meet
other men diverse of times &
have seen men go there when
Frank was away.

Cross Exam.

1.

You have stated that Ann
when quarrelling with her hus-
band would use bad lan-
guage, what kind of language
would he use to her?

Ans.

He would use bad language
back to her.

2.

Did you visit the house
where they lived often?

Ans.

I went there occasionally.

3.

What time of day or night
would you be there?

Ans.

I have been there just after dark
& I have been there in the
evening. I have also been there

in the morning.

4. Were you there about meal time?

Ans. yes sir. I have been there at meal time.

5. Did you ever see Mr. Wins at King's?

Ans. I never did.

6. Did you ever see him talking to any of the King women?

Ans. No sir. I have seen some of the children at his house since Ann left. They are small children, Jerry & May some 13 to 14 years old & Lula some 8 or 9 years old.

7. You have stated that Ann would come home at 2 o'clock & at other times of the night, tell how you know that she would come home at these hours of night?

Ans. Because I saw her going home.

8. How often have you seen her come home after night?

Ans. I don't know how often. Many times though.

9. What would you be doing up
all hours of night so often?
Ans. I don't have to tell why I
was up, but I was up.

10. What are your feelings
toward Ann?

Ans. I haven't anything against ^{her}. I
like her.

11. Do you speak to her?

Ans. No Sir. Because she got mad
at me & cut up & don't say
anything to her.

12. You say you heard Ann
threaten to poison her husband
& burn him up, were not
these threats as you call
them made while they
were fussing and quarreling?

Ans. Yes Sir.

With Claims
1 Day. 50^{cts}. And further this witness saith
not.

Martha ^{her} Miles
mark

Fraunce Miles another witness of lawful
age being duly sworn deposes & says.

1 Are you the plaintiff in this suit.

yes Sir.

2 When were you and the Defendant married

(25)

to each other.

Ans. The 17th day of November 1894.

3. When did you and she separate, tell why you separated all about it?

Ans. I think it was the 13th day of March 1897 when we separated permanently. She had left me repeatedly before that. About the 9th or 10th of March she in the night time moved her things to her mother. On the night before we separated she had been in a perfect storm of black guard & filth for two months.

She went off that night & came back between 11 & 12 o'clock in the night. She pretended to be in a good humor. Said she was coming to bed with me. We had not been bedding together for some two months & not regularly for 8 or 10 months. I told her to go on & get in her own bed, & let me alone that she had kept me up ^{& I was tired} for 4 nights. She did get in bed & wanted to be in a good humor & she asked me if I was going to throw her mother & her sister 'Dad' out of a house they

were occupying of ~~Yess~~^{mine} & I told her that I was going to have them thrown out as soon as the sheriff could come. She got up & left about 2 o'clock & did not come back any more until day light. She then left & said she would never live with me again as long as she lived.

- 3 State whether or not since your marriage with the said Ann, you have been true to your marriage vows, and state in this connection how you have treated ~~her~~ the said Ann.

Ans. I never have violated my marriage vows since I ~~have~~ married to her. I have tried as hard as any body could to make her happy & comfortable in all respect due from a husband.

- 4 State her conduct towards you, how she has treated you, how she has behaved herself, all about it

Ans. In the last ten months she has treated me most scandalous. She has laid out more than two thirds of the time at night. She would come over & say

she had been out having carnal
Connection with ^{several} other men. She
would shake money at me
& tell me that was what she
made. She would ~~scold~~ curse
me & call me a God-damned
old Gray headed son of a bitch
& more worse than that & say
she had crippled me & intended
to still do so & that I might
depend on that. Said that she
only married me for a home
& if she could not get rid
of me any other way she
would poison me & that she
had the stuff to do with it.

5 How many and what kind of threats did
she against & to you, and state whether or
not you feared she would carry said
threats into execution

Ans She has threatened to poison ^{me} several
times & that if she could not
do it any other way she would
put it in my vitals. I was
afraid to eat her cooking when
she would cook at all until
she first sat down & eat.

I was afraid she would carry
her threats into execution.

6. Have you cohabited with the said Anne, since you ascertained certainly that she was or had committed adultery with others, and state whether or not you have consented to or concurred at her adultery. I have not & I have not concurred or consented to her adultery.

Yours -

1. The night you separated, you say she got in bed, do you mean in bed with yourself?

Ans. Yes. she got in behind me

2. You say she would tell you that she had been committing adultery with certain men, please give the names?

Ans. Chas Denny, Chas Blackburn Bill Edds, Ebb Garrett & others which I don't recollect now.

3. Was not Charly Blackburn confined in jail at the time & did you not know the fact?

Ans. I do know that he was not confined all the time. He was a prisoner but not confined all

(29)

the time. I do know that she was there with him at the jail. Her mother was there & she went to see her. She came from there with his name on her snuff box.

4. Did any of these men ever tell you they had been guilty of adultery with Ann since your marriage to her?

Ans. No Sir.

5. All of these men live at or near Jonesville, except Blockman, do they not?

Ans. Yes Sir.

6. Did you ever see Ann Blockman in jail together?

Ans. I saw her go in & knew he was there, but never saw them together in the jail.

And further this deponent will not -

Francis Miles

Mary Woodward another witness of last age being duly sworn deposes and says,

1 How near did you live to Francis Miles and Ann Miles while they were living together as husband & wife?

Ans.

About 200 yards.

2. Did you and They all live in Lee County Virginia and do you all still live in said County.

Ans. Yes Sir.

3. ~~How~~ did the said Frances and the said Ann get along together while they were living together as husband & wife?

Ans. Sometimes they were fighting & quarrelling & think they were friendly a part of the time.

4. Did you ever hear the said Ann make any threats against the said Frances if so what did she threaten to do.

Ans. I have heard her threaten him often. I heard her say at one time at old Mr. Miles' that if she couldn't get rid of him any other way that she would poison him. She had the same talk at my house & I have heard her talk it up & down the road.

5. How you ever saw her strolling up and down the road after night if so state how frequently and also whether she would be by herself or in company with men other than her husband.

Ans. I have seen her running up & down

the road at night frequently. Some times 4 or 5 times ~~in~~ in succession before she would stop & sometimes this would last for 4 or 5 weeks. She would sometimes be by her self & sometimes with other men than her husband.

6. When did you hear the threats made about poisoning of my son?

Ans. I have heard her make them often. The last time ^{as I remember} was the night she moved her things away from Frances.

1. Ever hear Mr. Miles threaten or abuse his wife?

Ans. I have heard him talk pretty rough to her.

2. At the time you say you saw her passing the road, do you know why she was not at home?

Ans. No Sir.

3. Did you ever see Mr. Miles strike his wife?

Ans. I saw him hit her one night.

4. When you say Ann threatened to poison Frances, who

brother yourself heard the
threat?

Ans.

Mr. Jim Miles folks heard her &
Mr. Martha Miles was present,
on the occasion in Mr.
Miles' house. Her sister & her
mother heard her when she
was saying it in the road.
And on one occasion at my
house her sister "Dud" ~~sh~~
heard her & shamed her for
so talking.

Remained

You say you saw Mr Miles strike her
one time, Did she not on that occasion
first strike him with a chunk of fire
Tell if you ever saw her strike him and
how often?

Ans.

I could not ^{tell} exactly which
struck with first. ~~I saw them~~
She had built a fire in Joslyn's
field & he went over & kicked
it out & she grabbed up a
chunk & went a few steps
toward the fence & I heard a
lick ~~heard~~ & saw the sparks
fly but could not tell which
struck, but thought it was her.

(33)

afterward she told me it was
her that struck with the
chunk of pine. I saw him then
fork her down & heard him
strike her two or three blows.
And further this witness saith
noh.

Wit. Claim

1 Day - 50^{cts}

pd by plff.

Mary ^{Lee} Woodward
work

Virginia Lee County, to wit.
I, D. P. Sewell a Notary public
for the County aforesaid in
the state of Virginia, do certify
that the foregoing deposition of
J. K. Graham, William Woodward, W. P.
Sprinkle, Lou Cook, M. D. Richmond
Frank King, Martha Miles, Frances
Miles, & Mary Woodward were
duly taken at the times ^{of place} mentioned
in the ~~Caption~~ ^{and} adjournments before
sworn to & subscribed to before
me & for the purpose mentioned
in Caption. Given under my hand
this May 31st / 1897.

D. P. Sewell
Not. Pub.

France Miles

or $\frac{1}{2}$ Depos for Off.

Am. Miles

Received from D.C.

Seize the Notary Public

Before whom to appear

Filed May 31st 1897.

J. V. H. Richmond

Dec for A. B. Munsey

Clery

Notary fee 6⁷⁵

For With see

Depos within.

1
The depositions of Thos. D. Miles
taken before me, a notary Public
for the County of Lee & State of
Virginia, ^{by agreement} at the law office of
C. T. Duncan on the 3^d day of June
1897 to be read as evidence in
a Chy suit, pending in Lee
County Circuit Court of France
Miles against Anna Miles, & to
be read on behalf of the defendant.
Present C. T. R. Ewing & Deft
C. T. Duncan & Off--

Thos D Miles a witness of lawful
age being duly sworn deposes &
says:

1. Are you acquainted with
the plaintiff & defendant in
this case, & how long have
you known them?

Ans. I am. Have known the plaintiff
most all my life & have known
the defendant some 5 or 6 years.

2. Since the marriage of
these parties, if you ever
saw Mr. Miles in company
with women of bad repu-
tation for virtue, tell all
about it.

Ans. I have only saw him at Kings.

I have seen him there several times. One night I met him & some of the King women in the road some 100 to 150 yds from their house.

3. What is the reputation of the King residence for virtue?
Pretty bad.

4. If any one ever read you any letters said to be from Mr. Miles to any woman beside his wife, tell all you know about this =

Objected to because hearsay, and therefore inadmissible.

Dawson for Puff

Ans.

from King read me a letter - she ^{if was} said "from France to Bettie King."

5. If you ever saw these portraits in this case in any difficulty, tell what you remember about it =

Ans.

I have seen them in a few little packets. The first one I remember was once while Ann was standing in the

road talking for Garrett's girl.
Edd Hall & I came along, Edd
stopped & I went on up the
road a little distance & stopped
& Joe's girl left & France was
on the porch & she got up & went
down where she was & told
her to come on inside. He was
swearing. She told him she
would in a minute. He told
her to get on over that fence &
then got over the fence & picked
up a bush & told her to get on
over that fence. She went on
down the & follow a short dis-
tance & stopped. They both were
swearing. I have heard several
other fusses between them in
which they cursed & used
abusive language, but don't
know which of them began them.
X 24

Did you ever hear Ann threaten France
if so what did she say?

Ans.

I don't remember whether I
did or not. I have heard them
say so much that I can hardly
tell what I have heard.

2 When was it you heard Jean King reading
The letter above spoken of by you?

Ans. I don't think it over two weeks
ago.

3 Do you know whether France wrote
the letter read to you by Jean, or not.

Ans. No Sir.

4 Was there a smutty or improper word
in that letter?

Ans. I don't think there was.

5 You say you have seen France at the
house of Mrs King. when was it and
what was he doing?

Ans. I saw him there about the door
last night. He was only there
talking to them.

6 Who was there?

No one, but Jean, two of the youngest
children & myself.

7 You speak of meeting Mrs Miles in the
road with some of the King people, state
which ones, and also state if Mr Miles did
not just meet them in the road?

Ans. Mrs King, Bettie King, & Lillie King
& I think some of the younger children
were along. They were all just
simply standing there when I
went up.

8 Do you not visit at Mrs King's pretty often.

Ans. Yes Sir.

9 Did you ever hear anything derogatory to the virtue of Mrs King or her daughter Bettie for virtue.

Ans. No Sir.

10 Where was it, or how long ago was it that you saw Frances and Anne fussing when Jo Gorrell's girl was there, as above stated by you?

Ans. That has been about a year.

11 Have they not been living a very disagreeable and quarrelsome life for the last 10 or 12 months

Yes Sir.

12 Have you not during that time very frequently seen her after night strolling up and down the road

Ans. Yes. I have seen her several times.

13 At these times would she be by herself or would she be with other men.

Ans. She was with her sister or some other woman.

W. L. Claims
1 Day - 50¢
rd by Deph.
And further this witness saith not.
Thos. D. Miles
Mark

Anne Miles another witness

of lawful age being duly sworn
says:

1. Are you the defendant,
the wife of France Miles?

Ans. yes sir.

2. State what your con-
duct since your marriage
with your husband has been;
tell what it has been as
virtue, whether or not you
did the cooking & other work
of the home; when you
would leave home, if
you ever did, why you
would do so, & all about
the way your husband
has treated you?

Ans. I have been true to my marital
vows with France Miles. I did
the cooking when I was at
stay at home. The first bad
treatment was about one year
ago. This was about Bettie King.
France was making garden &
I went up there (to the garden)
& she (Bettie King) was up there
with him & these two were alone.
I started down toward where they

were & he commenced to curse
me. I just said to him, that's
the reason you can't make your
garden & she said that she
didn't mean any harm by it.
I picked up a rock & told her
not to speak to me or I would
wash her mouth with it. She
then went on home. He has
been mistreating me ever
since then. He would tell me
that he thought more of her
than he did of me. Then he
would get mad at me & lock
me out of doors. Then sometimes
he would lock me up in the
house & beat me. He would curse
me & while he was beating me
tell me if I did not hush
he would kill me & slap his
hand over my mouth to keep me
from hollowing. Part of the time
he would let me have
anything to eat. When he was
mad he would go & cook his
meals & would let me have
anything to eat. He would throw
up to me that he did not marry me
because he wanted to live with me.

but because he wanted to get rid
of paying a fine. He would
tear up my things about the
house. He would frequently abuse
& mistreat me on occasions
that I am advised it is not necessary
to give in detail.

3. Did you ever mistreat
him first?

No Sir.

4. What did your husband
have when you the went
to keeping house; where are
your things now?

Ans. One bedstead, one straw bed, two
pillows, two shets, two Blankets, four
quilts & one Counterpane & one
little table, one small looking
glass, I did not get all of my
things. They are there at his house.

5. Did you ever leave home
for any immoral purpose?

No Sir. I only left when I
was drove off.

6. You have heard some of
the witnesses for plaintiff tell
about your being out after
night, one occasion among

others, when you had a fire in an old field near the road, were there times when your husband had driven you from home?

Ans. Yes Sir.

7. State whether or not you have reasons to believe that he has been guilty of adultery with other women since your marriage?

Ans. I have reasons to believe it. He would tell me that he thought more of Betty King than he did of me. I went there once & caught him there. He was sitting in a chair leaning back against the bed & she was on the side of the bed. I went there another time & was sitting in the house & he came up to the door & stood near there & he passed on by. Did not come in that time. But got up & pulled chimney out of the ~~crack~~ to see which way he went. I got my handkerchief from her to day.

X E

1 What property of yours did you leave at his house, and why did you leave it there?

Ans. I left a cooking stove there, also a big little table, two chairs, a carpet, & I expect about 400 pounds of soap, also a fire shovel & some dishes. I left them because I had to leave them.

2 What do you mean by saying, you had to leave them?

Ans. Because he whipped me & shut me out of doors & then locked the door on me to keep me from going in.

3 Why did you not take all your property?

Ans. Because he nail up all the door & windows.

4 Were any of the doors or windows nailed up when you removed your things from his house?

Ans. He sent them to me.

5 Did you not yourself remove your property or a ~~large~~ part of it before he sent your other property to you?

Ans. Nothing but my bed.

6 Did you not tell him that if he had

Shriff Weston to execute the writ of possession, and put your mother and sister out of the house if his they were occupying that you would negotiate with another day or words to that effect, and did he not bore them put out?

Ans. I did not say it. He put them out.

7 When did you get the 400 of soap spoken of and claimed by you above

Ans. I made it up on the halves for Mrs. Weston. I had no grease of my own.

8 Did you make the soap before or after you and the Plaintiff were married?

Ans. After word. I made it this last February.

9 When did you get the ash & wood to make said soap.

Ans. I got it there at home.

10 When did you get the stone & cooper mentioned by you above?

Ans. I made the cooper & bought the stone before I was married.

11 Who did you buy the stone from?
O. C. Lee

12 When did you buy it? How long ago.

Ans. A little over 4 years ago.

13. You say you have never committed any acts of adultery or in any way been untrue to your marriage vows. Now what did you mean by sitting on Mr Woodward's lap, and drinking liquor out in the road with said Woodward & Lehor Lewis

Ans. I didn't mean any harm by it.

14. What did you mean by hugging and kissing William Edwards and lying on the bed loaded up in his arms?

Ans. Just because he was at the same business. He laid down the gap & I thought I had the right to step out as well as him.

15. Did you ever demand of Frances the property which ^{you} claim as yours and which you say you left there?

Ans. I sent to him for it by George Miles & he refused to send it saying she had none there. Just here I wish to state that I forgot to mention above that I paid \$5⁰⁰ of my money on the sewing machine.

16 When did you get that \$5.00.

Ans. \$3⁰⁰ of it I got on a witness claim
+ 2⁰⁰ was the balance of the price
of a red heifer I sold before
we were married.

17 Was the falling out which you and France
had about Billie King, your first disagreement,

Ans. No Sir, But he never mistreated
me so much until after that.

18 Where did you find him and Billie
on that occasion, how close were they
together, were they in the same field?

Ans. ~~But~~ France was on the inside
of the field & she was on the
outside close to them, one standing
on one side against the fence and the
other on the other side and against
the fence.

19 Did you ever hear anybody say that
Billie King was a girl of easy virtue
if you say you did, who did you hear
say so and when?

Ans. I have heard Texas D. Miles
& Kit Hyden say so.

I heard Kit say so about Monday
or Tuesday evening. I heard Tho.
Miles say so several months
ago & before France & me parted.

And further this witness

said not.

Ann ^{her} Miles
mark

Virginia, Lee County - to-wit,
I, D.C. Sewell a notary public
for the county aforesaid in the
state of Virginia, do certify that
the foregoing depositions of Thos D.
Miles & Ann Miles were duly
taken, subscribed & sworn to
before at the time & place
& for the purposes in the
Caption mentioned. Given under
my hand this 3^d day of June
1897.

D.C. Sewell N.P.

France Miles—

as } Defos. of deft
 } }
Ann Miles—

Recd from D.C.
Service the Notary
before whom taken
& filed this June
8th / 1897

A.B. Munsey c.k.

Notary fees \$2.00
No witness—

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon

Ann Miles

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *1st* Monday in *May*, 189*7*, to answer a
bill in Chancery, exhibited against *her* in our said court by

Frances Miles

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *19th* day of *April*, 189*7*, and in the
12th year of the Commonwealth.

A B Munsey Clerk.

France Miles

vs. { SUPREMA.
IN CHANCERY.

Ann Miles

to S. Duncan p. q.

To/5t May Rules.

CIRCUIT COURT.

Exhibited April
the 19. 1897
Ray Deliberating
an office copy of
summons to
Ann Miles
S. S. Stapleton & S
for W. P. Weston
S. L. le

302.00
54.86
20.27
216.90

120.00
112.11
5.00
5.00
160.00

120.00
2.00

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you to summon

Louise, M.D. Richmond
Frank King, Charles Denny, Wm. Woodward,
W.P. Sprinkle to Thomas Filmer Jr
a Notary Public at the law office of *C. J. Duncan* in the town of *Jonestown*
to appear before the Judge of our Circuit Court of Lee County, at the court house thereof on the

25 day of *May* 189*7*, to testify and the truth to say in behalf of the
Plaintiff

in a certain matter of controversy in our said Court,
before the said Judge depending and undetermined between

France Miles Plaintiff
and
Ann Miles Defendant :

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *24th* day of *May* 189*7*, and in the
12*1st* year of the Commonwealth.
A. B. Munsey Clerk.

William Woodcock
one of the within
named witnesses
demanded pay for
his attendance and
refused to attend
until it was paid
May 24th 1897.

C. E. Cheek, C. R.

France Miles

VS

SUBPOENA
FOR
WITNESS.

Ann Miles

Circuit Court, the

25th day of May

1897.

Executed By

Summon the With
one witnesses

this May the 24
1897

C. E. Cheek, C. R.